

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIONDYS DURAN,

Plaintiff,

-v.-

AMSTERDAM 1883-1887 LLC and
STAFFPRO, INC.,

Defendants.

22 Civ. 07425 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

On July 20, 2023, the parties in this Fair Labor Standards Act case filed a settlement agreement, along with a joint letter explaining the basis for the agreement. *See* ECF No. 30. “In determining whether the proposed settlement is fair and reasonable,” the Court considers:

(1) the plaintiff's range of possible recovery; (2) the extent to which the settlement will enable the parties to avoid anticipated burdens and expenses in establishing their respective claims and defenses; (3) the seriousness of the litigation risks faced by the parties; (4) whether the settlement agreement is the product of arm's-length bargaining between experienced counsel; and (5) the possibility of fraud or collusion.

Wolinsky v. Scholastic Inc., 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012).

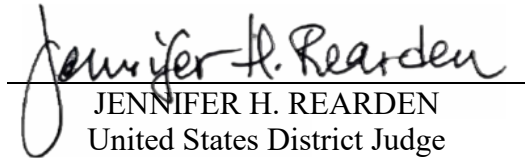
Having evaluated these factors, the Court approves the proposed settlement as fair and reasonable and the product of arm's-length negotiation, not fraud or collusion. In particular, the Court notes that Plaintiff is represented by counsel; that the parties participated in the Court's mediation program earlier this year; that Plaintiff is receiving a significant portion of the estimated unpaid wages claimed to be owed, in addition to a waiver of rent and other costs, valued at approximately \$48,000; and that the agreement does not contain a confidentiality clause.

In addition, the Court approves attorney's fees of one-third of the recovered amount as fair and reasonable.

The parties' settlement is approved, and the case is DISMISSED with prejudice. Any pending motions are moot. The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: October 13, 2023
New York, New York



JENNIFER H. REARDEN
United States District Judge